

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR  
SYSTEMS PRODUCTS LIABILITY  
LITIGATION

Master File No. 2:12-MD-02327  
MDL 2327

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This document applies to:

ETHICON WAVE 5 CASES LISTED IN  
PLAINTIFFS' EXHIBIT A

JOSEPH R. GOODWIN U.S. DISTRICT  
JUDGE

**NOTICE OF ADOPTION OF WAVE 3 *DAUBERT* RESPONSES REGARDING  
JANET E. TOMEZSKO, M.D. FOR WAVE 5**

Plaintiffs filed a Notice of Adoption (Dkt. 4369) as to the opinion testimony of Janet E. Tomezsko, M.D in the single Wave 5 case identified in Exhibit A to their Notice. That case—*Rachel Thorson et al. v. Ethicon, Inc.*—has since become inactive, making Plaintiffs' Notice of Adoption moot. To the extent, however, that Dr. Tomzsko's opinion testimony may become necessary for this or any other Wave 5 case, Defendants adopt and incorporate by reference the *Daubert* response filed in relation to the general-causation opinions of Janet E. Tomezsko, M.D for Ethicon Wave 3 (Dkt. 2924) as their response for Wave 5. Defendants respectfully request that the Court deny Plaintiffs' motion for the reasons expressed in the Wave 3 response briefing.

Dated: August 29, 2017

Respectfully submitted,

ETHICON, INC. AND  
JOHNSON & JOHNSON

/s/ Rita A. Maimbourg

Rita A. Maimbourg  
TUCKER ELLIS LLP  
950 Main Avenue, Suite 1100  
Cleveland, OH 44113-7213  
Telephone: 216.592.5000  
Facsimile: 216.592.5002  
[rita.maimbourg@tuckerellis.com](mailto:rita.maimbourg@tuckerellis.com)

/s/ David B. Thomas

David B. Thomas (W.Va. Bar #3731)  
THOMAS COMBS & SPANN PLLC  
300 Summers St.  
Suite 1380 (25301)  
P.O. Box 3824  
Charleston, WV 25338  
Telephone: 304.414.1807  
[dthomas@tcspllc.com](mailto:dthomas@tcspllc.com)

/s/ Christy D. Jones

Christy D. Jones  
BUTLER SNOW LLP  
1020 Highland Colony Parkway  
Suite 1400 (39157)  
P.O. Box 6010  
Ridgeland, MS 39158-6010  
Telephone: 601.985.4523  
[christy.jones@butlersnow.com](mailto:christy.jones@butlersnow.com)

**CERTIFICATE OF SERVICE**

I certify that on August 29, 2017, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ Rita A. Maimbourg

Rita A. Maimbourg

TUCKER ELLIS LLP

950 Main Avenue, Suite 1100

Cleveland, OH 44113-7213

Telephone: 216.592.5000

Facsimile: 216.592.5002

[rita.maimbourg@tuckerellis.com](mailto:rita.maimbourg@tuckerellis.com)